



North America Europe Asia

200 Park Avenue  
New York, NY 10166  
T +1 212 294 6700  
F +1 212 294 4700

October 28, 2015

**VIA ECF**

Hon. Paul G. Gardephe  
United States District Judge  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

**Re: *State-Boston Retirement System v. Bank of Nova Scotia, et al., 1:15-cv-05794, and Related Cases***

Dear Judge Gardephe:

We represent Defendant Goldman, Sachs & Co. in the above-referenced actions and write on behalf of all Defendants concerning the consolidation order the Court filed on September 3, 2015 in the above-captioned docket (No. 124, “the Order”) and the Court’s October 21, 2015 request for the parties’ positions as to consolidation in case No. 1:15-cv-07642, *New Jersey Laborers Statewide Funds v. Bank of Nova Scotia, et al.*; case No. 1:15-cv-07688, *City of Providence v. Bank of Nova Scotia, et al.*; and case No. 1:15-cv-07735, *Corbett v. Bank of America Corp., et al.*.

We also note that there are currently four additional cases that have been filed in this District that are clearly related to the cases consolidated pursuant to the Order:

1. No. 1:15-cv-07631, *Central Laborers’ Pension Fund v. Bank of Nova Scotia, et al.* (“Central Laborers”);
2. No. 1:15-cv-05939, *Laborers’ Local 231 Pension Fund v. Bank of Nova Scotia, et al.* (“Laborers’ Local 231”);
3. No. 1:15-cv-08149, *Oklahoma Police Pension and Retirement System v. Bank of Nova Scotia, et al.* (“Oklahoma”); and
4. No. 1:15-cv-08287, *Air Conditioning and Refrigeration Industry and Retirement Trust v. Bank of Nova Scotia, et al.* (“Air Conditioning”).

Although *Central Laborers* was referred to Judge Oetken because the plaintiff in that case did not designate the matter as related, plaintiff’s counsel in *Central Laborers* has informed Defendants that plaintiff will be submitting a letter requesting reassignment. The *Laborers’ Local 231* plaintiff inadvertently misfiled its complaint on October 5th as document number 158 in the docket of *Inter-Local Pension Fund Graphic Communications Conference of the International Brotherhood of Teamsters v. Bank of Nova Scotia*, No. 1:15-cv-05939, but has requested that the complaint be refiled as an original complaint and designated as related. See No. 1:15-cv-05939, ECF. No. 164. *Oklahoma* (filed October 15) and *Air Conditioning* (filed October 21) have been assigned to this Court and have been designated as possibly related to the already-consolidated cases. Plaintiffs’ counsel in all of the actions filed in this

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District support consolidation with the cases addressed in the Order, and Defendants do not oppose such consolidation.

We note as well as an update on the proceeding before the Judicial Panel on Multidistrict Litigation (“JML”) that the hearing before the JML has been set for December 3, 2015.

Respectfully submitted,

s/ Robert Y. Sperling  
Robert Y. Sperling  
WINSTON & STRAWN LLP  
35 West Wacker Drive  
Chicago, IL 60601  
Tel: (312) 558-7941  
Fax: (312) 558-5700  
rsperling@winston.com

Elizabeth P. Papez  
WINSTON & STRAWN LLP  
1700 K Street, N.W.  
Washington, D.C. 20006-3817  
Tel: (202) 282-5678  
epapez@winston.com

Penny Shane  
Stephen Ehrenberg  
SULLIVAN & CROMWELL LLP  
125 Broad Street  
New York, NY 10004  
Tel: (212) 558-4000  
Fax: (212) 558-3588  
shanep@sullcrom.com  
ehrenbergs@sullcrom.com

*Attorneys for Defendant Goldman, Sachs & Co.*

cc: All counsel (via ECF)